



## ***CITY OF MIAMI SPRINGS, FLORIDA***

### **CITY CLERK'S SUMMARY OF COUNCIL ACTIONS**

**Regular Meeting of Monday, February 26, 2007 - 7:00 p.m. – Council Chambers**

#### **AGENDA ITEM NUMBER AND SUBJECT**

1. Call to Order/Roll Call

**All present.**

2. Invocation/Salute to the Flag: **Mayor Bain/The audience participated.**

3. Awards & Presentations:

- 3A) Annual Golf Course Turf Review (Tabled: 2/12/2007)

John Foy, Director of the USGA Green Section's Florida Regions, **provided comments** and explained they provide turf advisory service as an unbiased agronomic consulting service. He last visited the golf course approximately three years ago and he has found many improvements since that time, with better overall turf quality and the renovation of the greens. He agrees with the programs under the supervision of Golf Superintendent Sandy Pell. He commented that irrigation is the most important management tool on a golf course and the current system cannot water efficiently, which is the reason for the complaints. A new irrigation system should be considered, at an approximate cost of \$1MM. As a follow-up to his presentation he offered to submit a written report of his findings and recommendations.

- 3B) Proclamation – Miami Springs Optimist Club Day (*Presented after the Salute to the Flag*)

Mayor Bain **proclaimed** February 26<sup>th</sup> to be Optimist Club Day. He pointed out that many members of the Club have been involved for more than thirty years working for the benefit of the kids in the community.

Mayor Bain introduced former Optimist Club Presidents in the audience: John A. Cavalier, Jr., Richard L. Wheeler, Ray Graulich, OPaul Bithorn, Jimmy Carter, Karl Bithorn and current President George Lob.

### 3C) Report on School ABC Boundaries (Requested by Vice Mayor Youngs)

Vice Mayor Youngs introduced Connie Kostyra, Supervisor of the School Operations Attendance Boundary Committee for Miami-Dade County Public Schools. He attended the last Education Advisory Board meeting and the Board requested that Council adopt a resolution supporting the three plans for boundary changes and to send a letter of commendation to the Region 3 Office and Superintendent George Núñez, Director Robert Kalinsky and Carlos Ríos.

**Through maps he showed on the overhead projector and a Power Point presentation, Vice Mayor Youngs gave a status report and informed Council** of the boundary shifts changes recommended and the positive effects that it will have for Miami Springs.

Vice Mayor Youngs added that the County ABC has approved the plans, they were submitted and approved by the School Superintendent, who in turn will submit them for approval by the Diversity, Equity and Excellence Advisory Committee and finally the School Board. Residents can submit alternatives, but it looks like the three proposed changes will be approved by the School Board.

#### 4. Open Forum:

- Recreation Center      George Lob      Urged Council to continue working on the renovation or reconstruction of the Recreation Center. He was of the opinion that both options should be evaluated to secure the correct information and cost so that Council can make the necessary decision and keep residents informed.
  
- Recreation Center      Karl Bithorn      Stated that the Optimist Club is proactive in regards to the renovation or reconstruction of the Recreation Center, and they would like to have the facts for different alternatives. He was of the opinion that people should be allowed to vote on the various alternatives based on proper information. There are many good ideas in the 2006 Master Plan and many of the smaller projects would be done in-house and with community volunteers.
  
- Political Signs      Owen Gay      Referred to Councilman Garcia's political signs and the November 2006 election and when the signs of Xiomara Pazos were removed.

4. Open Forum: (Continued)

- Golf Balls                      Junior Silva                      Is concerned about the safety of his children on his property because of the golf balls that fall there. The City Manager reported that plant materials have already been ordered and would soon be planted as a result of a discussion during the last Council meeting.
  
- Tennis Program              Donna Hernandez              Complained about the condition of the tennis courts, lack of personnel and programs. The Assistant City Manager reported that he has challenged Staff to develop a program which includes tournaments. He offered to look into this situation and informed Council that a part-time person is assigned to the tennis courts when there is scheduled programming. Another employee oversees the program who teaches and the coordinator is responsible for making sure the activities are covered by Staff.

5. Approval of Council Minutes:

5A) 02/12/2007 – Regular Meeting

**Approved** as written.

Motion: Councilman Best

Second: Vice Mayor Youngs

Vote: 5-0

6. Reports from Boards & Commissions:

6A) 02/13/2007 – Recreation Commission – Minutes

6B) 02/15/2007 – Historic Preservation Board – Minutes

6C) 02/22/2007 – Code Review Board – Cancellation Notice

6D) 02/27/2007 – Ecology Board – Cancellation Notice

Agenda items 6A through 6D were **received for information without comment**.

7. Public Hearings:

Council sat as the Board of Appeals from 7:40 p.m. until 8:40 p.m. to hear Case # 05-V-07. (The Mayor recessed the meeting at 8:33 p.m. while the City Planner looked for additional information and reconvened the meeting at 8:35 p.m.)

*Mayor Bain reconvened the Council Meeting at 8:40 p.m.*

7A) Public Hearing – Second Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150.010, Roof Materials, Requirements and Re-Roofs; by Eliminating the Need for Board of Adjustment Approval; Substituting the Approval Authority of the Planning and Building Departments; Delineating a Dispute Resolution Process for Further Application Review; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date (First Reading: 2/12/2007 – Advertised: 2/14/2007)

**Adopted** on second reading (Ordinance No. 952-2007)

Motion: Councilman Garcia

Second: Councilman Best

Vote: 5-0

7B) Public Hearing – Second Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-034, Installation of Central Air Conditioning and Heating Units; by Including Pool Pumps and Equipment and Sprinkler Pumps and Equipment Within the Provisions of the Ordinance; Providing a New Screening Requirement for Equipment in Side Yard Area Adjacent to Streets; Delineating a New Distance Requirement for Equipment Located in Side Yard Areas Adjacent to Streets; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date (First Reading: 2/12/2007 – Advertised: 2/14/2007)

**Adopted** on second reading (Ordinance No. 953-2007)

Motion: Councilman Best

Second: Councilman Dotson

Vote: 5-0

8. Consent Agenda: (approved simultaneously)

8A) Recommendation that Council Approve the Renewal of Bid # 03-05/06 with Harrison Uniforms, and Waive the Competitive Bid Process and Approve an Expenditure of \$13,296.16 to Harrison Uniforms, as Provided in Section 31.11 (E) (6) (g) of the City Code

Bid # 03-05/06 **awarded** to Harrison Uniforms (Police Department)

Motion: Councilman Best

Second: Vice Mayor Youngs

Vote: 5-0

8B) Recommendation that Council Approve an Expenditure of, not to Exceed \$19,000, to The Miami Herald Publishing Company for Advertising

Expenditure of \$19,000 **approved** (Golf Department)

Motion: Councilman Best

Second: Vice Mayor Youngs

Vote: 5-0

8C) Recommendation that Council Award Bid # 04-06/07 to Commercial Energy Specialists, the Lowest Responsible Proposer, in the Amount of \$17,553.24, for a Thermal Pool Cover Pursuant to Section 31.11 (E) (2) of the City Code

Bid # 04-06/07 **awarded** to Commercial Energy Specialists.

Motion: Councilman Best

Second: Vice Mayor Youngs

Vote: 5-0

9. Old Business:

9A) Appointment to the Ecology Board by Mayor Bain for a Full 3-Year Term Ending on April 30, 2009 (Joe Podgor's seat)

**Deferred.**

9B) Appointment to the Ecology Board by Vice Mayor Youngs (Group IV) for an Unexpired Term Ending on April 30, 2007 Created by the Resignation of Donna Dawson

**Deferred.**

9C) Appointment to the Code Enforcement Board by Vice Mayor Youngs (Group IV) to Fill an Unexpired Term Ending on September 30, 2007 Created by Three Absences of Erik Michelson

**Deferred.**

9D) Appointment to the Civil Service Board by Councilman Garcia (Group III) to Fill an Unexpired Term Ending on June 30, 2009 (Roslyn Buckner's seat)

**Deferred.**

9E) Appointment to the Ecology Board by Councilman Dotson (Group II) for an Unexpired Term Ending on April 30, 2008 Created by the Resignation of Maria Mikluscak

**Deferred.**

9F) Appointment to the Recreation Commission by Mayor Bain for an Unexpired Term Ending on April 30, 2007, Created by Three Absences of Roger Del Rio

**Deferred.**

*Discussed after Agenda Item 9I*

9G) “Fifth” First Reading – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-041, R-1A District; 150.042, R-1B District; 150.043, R-1C District, and 150-044, R-1D District, to Provide a New Building Height Exception, Lot Coverage Restriction, and Side Yard Requirements for Two-story Structures; Repealing all Ordinances or Parts of Ordinances in Conflict; Providing an Effective Date

First reading **deferred** until March 12, 2007.

Motion: Councilman Garcia

Second: Councilman Best

Vote: 5-0

*Mayor Bain asked for a 5-minute recess at 10:40 p.m.*

*Discussed after Agenda Item 10F*

9H) Approval of Contract with CEMUSA Miami Ltd. for the Provision of Covered Bus Shelters Within the City

Covered bus shelter contract with CEMUSA **approved.**

Motion: Councilman Best

Second: Councilman Garcia

Vote: 5-0

*Discussed after Agenda Item 9F*

9I) Presentation Regarding Safety and Security Issues at the Recreation Center

The Administration **presented** a Power Point report highlighting the procedures implemented to protect the children attending programs at the Recreation Center, as well as other measures the Administration is considering to further strengthen the safety and security at the facility.

10. New Business:

*Discussed after Agenda Item 9H*

10A) Resolution – A Resolution of the City Council of the City of Miami Springs Urging the Members of the Florida Legislature to Adopt Legislation Providing Clearer Disclosure Language in the Advertisement Requirements of the Mandatory TRIM Notification Allowing Reference to the Prior Year’s Millage Rate as it Compares to the Proposed Millage Rate; Effective Date

**Approved** (Resolution No. 2007-3349).

Motion: Councilman Garcia

Second: Vice Mayor Youngs

Vice Mayor Youngs: “aye”

Councilman Best: “aye”

Councilman Dotson: “no”

Councilman Garcia: “aye”

Mayor Bain: “aye”

Vote: 4-1

10B) Resolution – A Resolution of the City Council of the City of Miami Springs, Authorizing the City to Apply for and Enter into an Urban and Community Forestry Grant Agreement with the State of Florida Department of Agriculture and Consumer Services, Division of Forestry; Authorizing Proper Execution of all Required Documentation; Effective Date

**Approved** (Resolution No. 2007-3350).

Motion: Councilman Dotson

Second: Councilman Best

Vote: 5-0

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*Councilman Garcia moved to extend the meeting for 15 minutes until 11:45 p.m. Councilman Dotson seconded the motion, which carried 5-0 on voice vote.*  
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10C) Approval of Appointees to Make up the Audit Firm Selection Committee for 2007

Appointees suggested by the Administration (Gorland/Seiden/Dilling) were **approved**.

Motion: Councilman Garcia

Second: Councilman Best

Vice Mayor Youngs: “aye”

Councilman Best: “aye”

Councilman Dotson: “no”

Councilman Garcia: “aye”

Mayor Bain: “aye”

Vote: 4-1

10D) Request that Council Waive the Competitive Bid Process and Approve an Expenditure not to Exceed \$13,000 to Gabriel Roeder Smith & Company (GRS) for the GASB 45 OPEB Actuarial Study Pursuant to Section 31.11 (E) (6) (g) of the City Code

Council **waived** the competitive bid process and **approved** the expenditure not to exceed \$13,000.

Motion: Councilman Best

Second: Vice Mayor Youngs

Vote: 5-0

*Discussed after Agenda Item 10H*

10E) Site Plan Review – Zoning and Planning Board Case No. 01-ZP-07 – 657 South Drive – Ramon Valdes-Denis – Total Lot Size: 21, 300 sq. ft. – Zoning: Airport Highway Marine Business District (AHMBD)

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*Councilman Garcia moved to extend the meeting for 15 minutes until 11:15 p.m. Vice Mayor Youngs seconded the motion, which carried 5-0 on voice vote.*

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Council **approved** the Site Plan Review.

Motion: Councilman Garcia

Second: Councilman Dotson

Vote: 5-0

*Discussed after Agenda Item 10E*

10F) Resolution – A Resolution of the City Council of the City of Miami Springs Authorizing and Permitting the Placement and Installation of Decorative Columns in the Sidewalk Area Adjacent to the Properties Fronting on the West Side of Curtiss Parkway and on Canal Street Which are More Particularly Described and Identified on the Floor Plan Elevation Attached Hereto; Effective Date (Request by Miller-Rose Properties, Inc. to Maintain Existing Decorative Columns at 6 Curtiss Parkway)

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*Vice Mayor Youngs moved to extend the meeting for 15 minutes until 11:30 p.m. Councilman Dotson seconded the motion, which carried 5-0 on voice vote.*

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**Approved** as amended (Resolution No. 2007-3348).

Motion: Councilman Garcia

Second: Vice Mayor Youngs

Vote: 5-0



10G) Recommendation that Council Award Bid # 06-06/07 to Computer Electric Inc., the Lowest Responsible Proposer, in an Amount not to Exceed \$50,000, on an “As Needed Basis”, for City-wide Electrical Repairs, Pursuant to Section 31.11 (E) (2) of the City Code

Bid # 06-06/07 **awarded** to Computer Electric Inc.

Motion: Councilman Dotson

Second: Councilman Garcia

Vote: 5-0

*Discussed after Agenda Item 9G*

10H) Recommendation that Council Award Bid # 03-06/07 to Southeast Design Associates, Inc., in the Amount of \$68,000, as Provided in Section 31.11 (E) (1) of the City Code for Completion of Construction Documents for the Proposed Linear Park Along the Miami Canal at Canal Street

Bid # 03-06/07 **awarded** to Southeast Design Associates, Inc. Council **authorized** the Administration to execute the contract once the City Attorney has reviewed it.

Motion: Councilman Garcia

Second: Vice Mayor Youngs

Vote: 5-0

10I) Appointment to the Golf and Country Club Advisory Board by Mayor Bain to Fill an Unexpired Term Ending on July 31, 2007 Created by the Resignation of Noel Pereda

**Deferred.**

11. Other Business:

**None.**

12. Reports & Recommendations:

12A) City Attorney

**None.**

12B) City Manager

- Golf Course                      Reported receiving a letter from Lenny Cook, head of Baltimore Golf, considered as a model for the Golf Course operation. When Mr. Cook visited Miami he played golf in Miami Springs and in his letter he states that the next time he visits the area, he will play here instead of paying the higher price in Doral. He also indicated he liked the food.

12B) City Manager (Continued)

- Basin 14                      Reported that a check was received from South Florida Management for \$60,447.00, which is the final payment on the Basin 14 Stormwater Project on Plover Avenue.
- Property Taxes              Stated that the Administration is keeping abreast of the Legislature's plans for property tax relief. Representative Julio Robaina will speak at the upcoming City Manager's luncheon on Friday, March 2<sup>nd</sup> to discuss some of the options being considered.
- Basin 14                      Said that the laterals that were damaged on Plover Avenue during the construction were repaired and completed today.
- Joe Cardini                    Announced that Joe Cardini is doing well and was released from the hospital two days after major surgery.
- Legislative Alerts            Reported that Council is receiving these alerts to keep abreast of what is proposed by the Legislature in Tallahassee, which is a serious concern for cities.

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*Councilman Garcia moved to extend the meeting for 15 minutes until 11:30 p.m. Councilman Best seconded the motion, which carried 5-0 on voice vote.*

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12C) City Council

Councilman Best:

- Request for Funding              Stated that a request was made by Dennis Hubbard to fund the girls' softball team. He requested an agenda item for discussion at the next meeting. Mayor Bain stated that there are certain procedures that the institutions must follow before they can request funding.
- Recreation Department              Thanked the Recreation Department for the presentation in this meeting's agenda packet. After the information from the needs assessment survey is compiled from MLL, Inc., the plans for the Recreation Center should be underway.
- Thank you                              Thanked City Clerk Magalí Valls for calling him when he was out of town for a week when his mother suffered a stroke.

Councilman Dotson:

- Prayers  
Wished the best for Councilman Best's mother and said that he would pray for her.
- M. S. Elementary  
70<sup>th</sup> Anniversary  
Said that he spoke with the City Manager about the 70<sup>th</sup> Anniversary celebration. City Manager Borgmann reported that he called the School Principal but she was in an FCAT rally. He offered to follow-up the next day.
- Stadnik Memorial  
Inquired about the Memorial and street dedication. The City Manager reported that the plan was to incorporate the dedication with the opening of the Springs River Festival and that there have been some confusion with the family members who were told that no one would be allowed to speak, which is not correct.
- Evaluation and  
Appraisal Report (EAR)  
Asked about the status of the EAR. The City Manager explained that the State put the review on hold pending review of other cities' reports that were under the statutory limits. The City Planner received more comments, and he is trying to answer all questions.

Councilman Garcia:

- Middle School Celebration  
Received an invitation from the Middle School to their A+ celebration and they are requesting funding for the big event from Miami Springs and Hialeah. He said that the City should have guidelines and criteria to follow to give donations.
- Soccer Awards  
Attended the Optimist Club Soccer Awards ceremony and it was a wonderful event to recognize the players and volunteers.
- Marty Frady  
Announced that Marty Frady is considering retirement later this year. He thanked him for his work with the Recreation Department and the community.

Vice Mayor Youngs:

- Appreciation Said that he appreciated serving on Council with each member who is in a contested race during the upcoming election. He wished each member the very best and reminded them about ethical campaigning.
- Soccer Program Said that he appreciated the soccer program.
- Marty Frady Agreed that Marty Frady should be recognized for his work with the Recreation Department.

Mayor Bain:

- Post, Buckley, Schuh & Jernigan (PBS&J) Said that citizens had expressed concern about the article on PBS& J. He asked if further clarification is needed other than what the City Manager provided.  
  
Councilman Dotson stated that he wanted to be satisfied that there are no problems. He agrees that PBS&J is valuable to the City with their work with the sewer system. He felt that publicity gets blown out of proportion sometimes.  
  
Councilman Best said that people are more concerned with FEMA.  
  
Councilman Garcia added that most of the issues with PBS&J came about through their own internal audits.
- Recreation Center The City Manager reported that he asked PBS&J to update their 2000 report on the gymnasium to see if the steel structure is still viable or if there are any other materials available today that might be less expensive.

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*Councilman Garcia moved to extend the meeting for 15 minutes until 12:00 midnight. Vice Mayor Youngs seconded the motion, which carried 5-0 on voice vote.*  
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- Post Office Thanked U. S. Postmaster Jesús Gálvez for responding to his call after residents complained about the service at the Post Office.

Mayor Bain: (Continued)

- Basketball Game                      Stated that the 12 and under basketball game was exciting. He thanked all the kids who sat with him in the bleachers.
- Good Luck                                Wished everyone good luck and asked God to bless them all.

13.      Adjourn.

Adjourned at 12:05 a.m. (Tuesday)